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Sandstone Group, LLC, Ognen Stojanovski, and
Brent Schwarz

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re

ANTHONY SCOTT LEVANDOWSKI,
Debtor.

Case No. 20-30242 HLB

Chapter 11

Adv No. 20-3050 HLB

ANTHONY SCOTT LEVANDOWSKI,
Plaintiff,

**DECLARATION BY OGNEN
STOJANOVSKI IN SUPPORT OF
SEALING CERTAIN EXHIBITS,
PURSUANT TO LOCAL RULE 79-5**

v.

UBER TECHNOLOGIES, INC.,
Defendant.

Hon. Hannah L. Blumenstiel

DECLARATION OF OGNEN STOJANOVSKI

I, Ognen Stojanovski, hereby declare as follows:

1. I make this declaration pursuant to Local Rule 79-5, in support of sealing in whole or in part certain exhibits submitted to the Court by the parties to this adversary proceeding.

2. I have personal knowledge of the matters stated in this declaration and could and would testify competently to the matters stated herein if called to do so.

3. I am the manager of Sandstone Group LLC ("Sandstone"). Sandstone is a private company. As such, it is under no obligation to share its investor structure or its financial information with the public, and it has not invoked the courts for any purpose. I was also the manager of Tyto LiDAR, LLC during its operation. I, Sandstone, and Tyto LiDAR were subpoenaed for information under Protective Orders in the *Waymo LLC v. Uber Technologies, Inc.*, civil action, and the *Google, LLC v. Levandowski* arbitration. I submit this declaration to protect information that I believe constitutes protectable information pursuant to 11 U.S.C. § 107. I submit this declaration to protect privacy interests of Sandstone, Tyto LiDAR, myself, as well as those of former Tyto LiDAR employees Brent Schwarz and James Haslim as to documents pertaining to their employment with Tyto.

4. Among the exhibits that have been provided to me pursuant to the procedure set forth in Local Rule 79-5 are certain exhibits that contain confidential commercial information. Each of those either is: (1) an exhibit to Uber Technologies Inc.'s Amended Omnibus Administrative Motion to File Partially Redacted Oppositions to Plaintiff's Motions for Summary Judgment, to File Exhibits Under Seal and File Amended Omnibus Declaration (Dkt. No. 161); or (2) an exhibit referenced in Plaintiff Anthony Levandowski's Amended Omnibus Administrative Motion to file Partially Redacted Motions for Summary Judgment and Exhibits Under Seal (Dkt. No. 168).

5. Below are the exhibits that are the subjects of this declaration, organized by which of these two motions they pertain to, together with the reasons for sealing each.

Exhibits to Dkt. No. 161

6. Exhibit Uber-010: This document contains personal information of the former CEO of Tyto LiDAR, non-party Brent Schwarz, specifically information pertaining to his terms and conditions of employment, and his email. This document is the sort of document that would routinely be kept in an employee's personnel file, thus constituting confidential commercial information, and Mr. Schwarz's email is a "means of identification," both of which are protectable under 11 U.S.C. § 107(b)(a) and (c).

7. Exhibit U-12: The cover email and its attachments contain personal information of the former CEO of Tyto LiDAR, non-party Brent Schwarz, and former Director of Engineering, non-party James Haslim. Specifically, the cover email contains emails and cell phones of both individuals, and the attachments are their offer letters, containing private financial information and terms and conditions of employment. The documents in this exhibit would routinely be kept in an employee's personnel file, thus constituting confidential commercial information, and the email is a "means of identification," both of which are protectable under 11 U.S.C. § 107(b)(a) and (c).

8. Exhibit U-13: This email contains Mr. Schwarz's and Mr. Haslim's phone numbers and emails, both of which are "means of identification" within 11 U.S.C. § 107(c).

9. Exhibit U-14: Two of the attachments to the cover email of this exhibit are the offer letters to Mr. Schwarz and Mr. Haslim, which should be sealed for the same reasons given for Exhibits Uber-01, Uber-012, and Uber-013.

10. Exhibit U-16: Two of the attachments to the cover email of this exhibit are the offer letters to Mr. Schwarz and Mr. Haslim, which should be sealed for the same reasons given for Exhibits U-01, U-012, and U-013.

11. Exhibit U-17: Except for the first page, which is a public document, this exhibit consists of Sandstone Group, LLC's Operating Agreement, which Sandstone as a private company treats as confidential. It is thus protectable under 11 U.S.C. § 107(b)(1).

12. Exhibits U-19 and U-20: This exhibit is a bank account statement containing the last four numbers of Sandstone's bank account at Mechanics Bank.

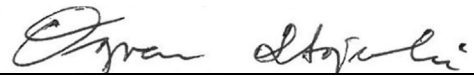
13. Recognizing Section 107's definitions of protectable information, I respectfully

1 request that if this sealing request is denied, the parties be directed to redact personally identifying
2 information and information regarding compensation and benefits from exhibits U-10, U-12, U-
3 13, U-14, and U-16. In addition, if sealing is denied for bank statements, I request that the last
4 four digits of Sandstone's bank account number be redacted from Exhibits U-10 and U-20.

5 **Exhibit Referenced In Dkt. No. 168**

6 14. Exhibit No. 28 to Mr. Levandowski's Motion for Partial Summary Judgment (Dkt.
7 No. 114): The first page of this exhibit contains Mr. Schwarz's email, and the fifth and sixth
8 pages of this exhibit reference the terms of his employment. As with Exhibits U-10, U-12, U-13,
9 U-14, and U-16, *supra*, the discussion of terms of employment would routinely be kept in an
10 employee's personnel file, thus constituting confidential commercial information, and the email
11 address is a "means of identification," both of which are protectable under 11 U.S.C. § 107(b)(a)
12 and (c). As with the Exhibits to Docket No. 168, I request that in the alternative the fifth and sixth
13 pages of the document, and Mr. Schwarz's identifying information, be redacted.

14
15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct. Executed this 30th day of March 2021, at Valencia, Spain.

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19 Ognjen Stojanovski
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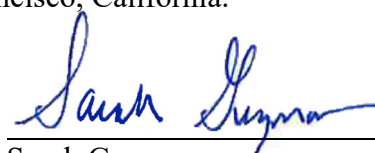
CERTIFICATE OF SERVICE

I, Sarah Guzman, hereby certify that on this 30th day of March, 2021, a copy of the foregoing **DECLARATION BY OGNEN STOJANOVSKI IN SUPPORT OF SEALING CERTAIN EXHIBITS, PURSUANT TO LOCAL RULE 79-5** was served via email, on the following:

MUNGER, TOLLES & OLSON LLP Thomas B. Walper (thomas.walper@mto.com) John W. Berry (john.berry@mto.com) Alexander S. Gorin (alex.gorin@mto.com) KEKER, VAN NEST & PETERS LLC Rachael E. Meny (rmeny@keker.com) Thomas E. Gorman (tgorman@keker.com) Reid P. Mullen (rmullen@keker.com) Attorneys for Google, LLC	KELLER BENVENUTTI KIM LLP Tobias S. Keller (tkeller@kbklp.com) Dara L. Silveira (dsilveira@kbklp.com) GOODWIN PROCTER LLP Brett Schuman (bschuman@goodwinlaw.com) Rachel M. Walsh (rwalsh@goodwinlaw.com) Hong-An Vu (hvu@goodwinlaw.com) Attorneys for Anthony Levandowski
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I declare under penalty of perjury, under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on March 30, 2021, at San Francisco, California.



Sarah Guzman